


counsel and a new CPA firm. On September 12, 2013, I filed amended tax returns for the years 2006-2011, which took nearly 9 months to prepare because of their complexity.

Primarily because of foreign tax credits and capital losses, those tax returns showed total tax due of \$625, which I paid at that time. On September 25, 2013, I filed amended FBARs prepared by the new CPA, who checked the box that I had a financial interest in 25 or more foreign accounts, which were my personal accounts and accounts held by corporations which I owned more than 50 percent of. As I was just an investor, I did not have signatory authority over any of the corporate accounts. Although the FBAR instructions required that I only state the number of accounts for which I had financial interest in, I also attached a schedule disclosing all foreign bank account information and balances on advice of my tax attorney. Many of the accounts had balances well below \$10,000, including some with as little as \$1. The IRS found that my failure to file FBARs was non-willful, which I understand means innocent or, at worst, negligent.

6. The IRS issued me a notice of deficiency in response to which I filed a petition in the United States Tax Court. That petition was assigned docket number 19894-17. An agreed decision was entered in that case on November 12, 2019. With respect to the years for which the IRS seeks to impose FBAR penalties (2007-2011), the agreed decision found no income tax deficiencies for the years 2008, 2009 and 2010, and tax deficiencies of \$46,385.88 for 2007 and \$127,000 for 2011, all of which I paid.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6 day of March, 2020

  
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Alexandru Bittner